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*Customs Act 1901 – Part XVB*

## **Anti-Dumping Notice No. 2018/24**

### **Deep Drawn Stainless Steel Sinks**

### **Exported from the People's Republic of China**

### **Initiation of a Review of Anti-Dumping Measures**

### **Relating to Guangdong Yingao Kitchen Utensils Co., Ltd**

#### ***Notice under subsection 269ZC(4) of the Customs Act 1901***

I, Dale Seymour, the Commissioner of the Anti-Dumping Commission (the Commissioner), have initiated a review of the anti-dumping measures applying to deep drawn stainless steel sinks (the goods) exported to Australia from the People's Republic of China (China) by Guangdong Yingao Kitchen Utensils Co., Ltd (Yingao). The review will be limited to examining whether the variable factors relevant to the taking of anti-dumping measures, as they affect Yingao, have changed.

#### **The Goods**

The goods subject to anti-dumping measures, in the form of a dumping duty notice and a countervailing duty notice, are:

Deep drawn stainless steel sinks with a single deep drawn bowl having a volume of between 7 and 70 litres (inclusive), or multiple drawn bowls having a combined volume of between 12 and 70 litres (inclusive), with or without integrated drain boards, whether finished or unfinished, regardless of type of finish, gauge, or grade of stainless steel and whether or not including accessories.

stainless steel sinks with multiple deep drawn bowls that are joined through a welding operation to form one unit; and

deep drawn stainless steel sinks whether or not they are sold in conjunction with accessories such as mounting clips, fasteners, seals, sound-deadening pads, faucets (whether attached or unattached), strainers, strainer sets, rinsing baskets, bottom grids, or other accessories.

The goods are classified to tariff subheading 7324.10.00 (statistical code 52) in Schedule 3 of the *Customs Tariff Act 1995*.

The following descriptions are excluded from measures, exemption type "GOODS" applies:

stainless steel sinks with fabricated bowls.

#### **Background to the measures**

The anti-dumping measures were initially imposed by public notice on 26 March 2014 by the then Parliamentary Secretary to the then Minister for Industry and Science (the then Parliamentary Secretary) following consideration of *Anti-Dumping Commission Report*

No. 238 (REP 238). These measures are applicable to all exporters from China, except for Primy Corporation Limited and Zhongshan Jiabaolu Kitchen and Bathroom Products Co. Ltd., against whom the subsidisation investigation was terminated on 19 February 2015.

On 16 October 2015, following a review by the Anti-Dumping Review Panel, the then Parliamentary Secretary gave public notice affirming her decision to impose anti-dumping measures.

On 16 May 2016, the Commissioner initiated a review of anti-dumping measures for deep drawn stainless steel sinks exported to Australia from China (REP 352) following an application lodged by Milena Australia Pty Ltd (Milena) an importer of deep drawn stainless steel sinks in Australia. The findings and recommendations in REP 352 were provided to the Assistant Minister for Industry, Innovation and Science and the Parliamentary Secretary to the Minister for Industry, Innovation and Science (the Parliamentary Secretary), recommending that the dumping duty notice and countervailing duty notice have effect in relation Shengzhou Chunyi Electrical Appliances Co. Ltd as if different variable factors had been ascertained. This recommendation was accepted and interested parties were advised of this outcome in Anti-Dumping Notice No. 2016/107 on 21 November 2016.

### **The current review**

An application has been lodged by Yingao under subsection 269ZA(1) of the *Customs Act 1901* (the Act) for a review of the anti-dumping measures in relation to the goods exported to Australia from China by Yingao.

Particulars of the reasons for the decision to undertake this review of measures are shown in *Anti-Dumping Commission Consideration Report No. 461*, which has been placed on the public record.

The review period for this review is **1 January 2017 to 31 December 2017**, and covers exports of the goods by Yingao during this period.

At the conclusion of this review, I will recommend to the Parliamentary Secretary to the Minister for Jobs and Innovation (the Parliamentary Secretary)<sup>1</sup> that the dumping duty notice and countervailing duty notice:

- i. remain unaltered; or
- ii. have effect in relation to Yingao as if different variable factors had been ascertained.

If an affected party considers that it can provide evidence that may satisfy me that there are reasonable grounds for determining that anti-dumping measures are no longer warranted, that party may lodge an application<sup>2</sup> no later than **21 March 2018** to request that I consider that evidence to extend this review of anti-dumping measures to include revocation.

### **Future Reviews**

Under subsection 269ZA(2), an application for a review must not be made earlier than 12 months after the publication of the notice implementing the original measures, or the notice declaring the outcome of the last review. Once a notice declaring the outcome of this review is published (regardless of the outcome), an application for a review of measures in

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<sup>1</sup> On 20 December 2017, the Prime Minister appointed the Parliamentary Secretary to the Minister for Jobs and Innovation as the Assistant Minister for Science, Jobs and Innovation. For the purposes of this decision the Minister is the Parliamentary Secretary to the Minister for Jobs and Innovation.

<sup>2</sup> In accordance with section 269ZCB of the Act.

relation to the dumping duty notice and countervailing duty notice that is the subject of this review cannot be made for a period of 12 months.

### **Public Record**

A public record must be maintained for each review. The public record must contain, among other things, a copy of all submissions from interested parties.

Documents included in the public record may be examined at the Commission's office by contacting the case manager on the details provided below. Alternatively, the public record is available at [www.adcommission.gov.au](http://www.adcommission.gov.au).

### **Lodgment of submissions**

Interested parties, as defined in subsection 269T(1) of the Act, are invited to lodge written submissions concerning this review, no later than the close of business on **21 March 2018** addressed to:

The Director  
Investigations 1,  
GPO Box 2013  
Canberra ACT 2601

or email to [investigations1@adcommission.gov.au](mailto:investigations1@adcommission.gov.au), or fax to +61 3 8539 2470.

Interested parties wishing to participate in the review must ensure that submissions are lodged promptly. Interested parties should note that I am not obliged to have regard to a submission received after the date mentioned above, if to do so would, in my opinion, prevent the timely placement of the statement of essential facts on the public record.

Interested parties claiming that information contained in their submission is confidential, or that the publication of the information would adversely affect their business or commercial interests, must:

- (i) provide a summary containing sufficient detail to allow a reasonable understanding of the substance of the information that does not breach that confidentiality or adversely affect those interests; or
- (ii) satisfy me that there is no way such a summary can be given to allow a reasonable understanding of the substance of the information.

Submissions containing confidential information must be clearly marked "FOR OFFICIAL USE ONLY".

Interested parties making submissions must also provide a non-confidential version for public record (clearly marked "PUBLIC RECORD").

### **Statement of Essential Facts**

The dates specified in this notice for lodging submissions must be observed to enable me to report to the Parliamentary Secretary within the legislative timeframe. A statement of essential facts (SEF) will be placed on the public record by **2 June 2018**, or by such later date as may be allowed in accordance with section 269ZH1 of the Act. The SEF will set out the essential facts on which I propose to base a recommendation to the Parliamentary Secretary. Interested parties are invited to lodge submissions in response to the SEF within 20 days of the SEF being placed on the public record.

### **Report to the Parliamentary Secretary**

Submissions received in response to the SEF will be taken into account in preparing the report and recommendation to the Parliamentary Secretary. A recommendation to the Parliamentary Secretary will be made in a report on or before **17 July 2018** (or such later date as may be allowed in accordance with section 269ZHI).

### **Anti-Dumping Commission contact**

Enquiries about this notice may be directed to the Case Manager on telephone number +61 3 8539 2408 or by email to [investigations1@adcommission.gov.au](mailto:investigations1@adcommission.gov.au).

Dale Seymour  
Commissioner  
Anti-Dumping Commission

12 February 2017